

FILED
IN CLERKS OFFICE

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
DEC 24 A 11: 53

U.S. DISTRICT COURT
CIVIL ACTION No. 03-12431 JLT

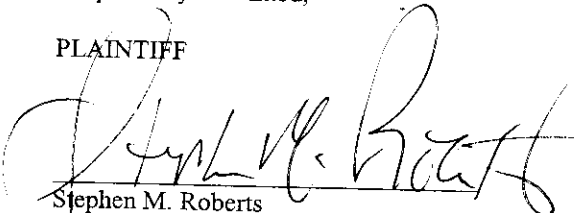
GHATTAS AND JOSEPH, INC.,)
-Plaintiff,)
v.)
CUMBERLAND FARMS, INC.,)
By and through Its)
GULF DIVISION,)
- Defendant)

STIPULATION OF DISMISSAL (WITHOUT PREJUDICE)

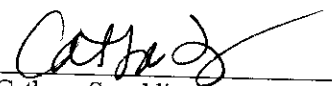
NOW COME the parties in the above captioned matter and, pursuant to F.R.C.P. Rule 41(a) (1) (ii), hereby stipulate that that the above captioned matter be dismissed without prejudice. The parties further stipulate that (1) each party shall bear their own costs and attorneys fees; (2) this Stipulation is not an admission of liability; and (3) this Stipulation shall not be deemed to be an adjudication of the merits of the underlying action.

Respectfully submitted,

PLAINTIFF


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DEFENDANT


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Dated December 18, 2003